

MANSFIELD TOWNSHIP COMMITTEE MEETING

November 24, 2009

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star-Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Baldwin made a motion to approve the minutes from the regular meeting held on November 9, 2009, which was seconded by Mayor Jewell.

Ayes: Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: Mr. Tomaszewski

PAYMENT OF BILLS:

Mr. Baldwin made a motion to approve the bill list and the addendum, which was seconded by Mr. Watters.

Ayes: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

PRESENTATION:

Pam Farago, Domestic Abuse and Rape Crisis Center, spoke to the Township Committee about the program that they would like to put into effect with the grant money that they have received is a program called Green Dot. Ms. Farago explained Green Dot to the Township Committee. Ms. Farago stated that the DARCC handles about 80, 000 hotline calls from Warren County and 2,000 women and children housed for violence within Warren County. Ms. Farago asked the Township Committee to participate by passing a resolution in support of Green Dot or by giving a \$1000 annual donation, or sign up for a Green Dot training class that will take place this year.

CFO REPORT:

Mr. Coppola stated that the letter that Mr. Kobert suggested that we sent to Jerry Conover was never responded to.

Ms. Hrebenak stated that she spoke with Cory Stoner and he stated that he got the numbers from Jerry Conover and that the money owed be taken off of what was going to need to be paid for engineering services.

Ms. Nerbak explained that herself, Mr. Baldwin, Ms. Margolin, and Mr. Cruts met with Cory Stoner and went over the trail and the Recreation Commission is in agreement that they would like to have the added charges paid out by Mr. Conover out of the Liquidated damages and also have money withheld to ensure the planting in the spring and any other work that may need to be done after the winter. Ms. Nerbak stated that Mr. Stoner would be sending a letter detailing this information for everyone.

Mayor Jewell asked if this included the seeding.

Ms. Nerbak stated that it does include the seeding.

Mr. Coppola asked if the finance committee would like to set a date for another budget meeting.

Mr. Watters and Mayor Jewell stated that they would like to meet one hour prior to the next meeting again.

CLERKS REPORT:

Ms. Hrebenak stated that she gave all of the Township Committee a copy of the 2010 Audit Agreement that we would need to sign and return.

Mayor Jewell asked Mr. Coppola how these numbers compared to last year's contract.

Mr. Coppola stated that this is slightly higher than last year about a \$600 increase.

Mr. Baldwin stated that he is pleased with the work that has been done in the past.

Mr. Coppola stated that this price is still lower than the neighboring towns.

Mayor Jewell asked what the price was last year.

Mr. Coppola stated that he believed \$17, 700 last year.

Ms. Nerbak stated that the amount on the contract is more than \$600 from \$18,950.

Mr. Coppola stated that the total on his copy of the contract is \$18,300.

Mr. Baldwin asked that Mr. Coppola speak to Mr. Ferry and see if it would be possible to keep the numbers the same as the previous year.

Mr. Coppola stated that he would speak with Mr. Ferry.

Ms. Hrebenak stated that she changed the Citizen Involvement Form, due to new legislation.

ENGINEERS REPORT:

Mr Mace stated that he has not seen that cars are no left outside the fence on hours when Washington Salvage is not open.

Mr. Mace stated that the appliance guys court date was moved to December 14, 2009.

PUBLIC PORTION:

Mayor Jewell opened the floor for public comment.

Mr. David Shope, partner at Mansfield Self Storage, explained to the Township Committee that Tewksbury Township has opted out of the Highlands Preservation and Planning area and that he was under the impression that the Township Committee would be acting on this tonight. Mr. Shope asked that the Township Committee either take no action or opt out as Independence Township and Tewksbury Township have. Mr. Shope stated that this is a terrible law and will not do any good for the towns. Mr. Shope stated that the time has come to resist a law like this.

Mr. Kelsey, Independence Township Planning Board, came in place of Mayor Giordano to explain the Independence Township Committees position on the opting out of the highlands. Mr. Kelsey stated that Independence Planning Board will continue to hear cases and grant approvals to the residents and then the residents will have to go to the Highlands Council and if they are denied they can then put the liability on the state. Mr. Kelsey stated that there are some other towns that have accepted with reservations and asked that the Highlands Council make changes. Mr. Kelsey asked that the Township Committee join with Independence and Tewksbury and opt out of the Highlands Preservation or take no action at all.

Mr. Hank Clupp, Tewksbury Farmer, spoke to the Township Committee about his reasons that the Township Committee should opt out of the Highlands Planning and Preservation area.

Mr. Kelsey stated that the Township Committee are the ones who know what's best for the township homeowners.

David Shope, water and nitrates are basically bogus issues and that when the Highlands Council says that there is a deficit they are this is based on the 1965 draught numbers.

Mr. Kessler stated that if the new Governor elect wants to cut the budget the highlands would be a good place to cut.

Susan Buck, Farmer in Mansfield, stated that she is very pleased with the way that the township has been going and if this goes through everything would be on the township and the taxes will need to be drastically raised from this law and there will be many issues that the township will now have to address for the state. Ms. Buck asked that the Township Committee do something to protect the landowners in this town.

Mr. Baldwin stated that prior to this year

Daniel Siegfried, stated that he was here in June and the Committee stated that they are moving to foreclose on the property that is located next to his property and that he is interested in purchasing this property and would also like to see the paper street abandoned.

Mayor Jewell asked what the size of the property is.

Mr. Siegfried stated that the property is a little over an acre.

Mayor Jewell explained to Mr. Siegfried that this property would need to be purchased at an auction and that any property that is larger than a buildable lot can only be conveyed in an auction manner. Mayor Jewell suggested that Mr. Siegfried send a letter to the clerk and stated that we would let him know when the property is acquired through the foreclosure and when we are planning to auction the property and also to formally request that the paper streets are abandoned.

Mr. Kessler stated that the township Committee can see there are many people that oppose.

Mayor Jewell closed the public portion.

Ms. Nerbak made a motion to opt out of the Highlands preservation area and not respond to the Highlands Council, which was seconded by Mr. Tomszewski.

Ayes: Mr. Tomszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

Mayor Jewell made a motion to recind 2008-104 and 105, which was seconded by Mr. Watters.

Ayes: Mr. Tomszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

RESOLUTION:

RESOLUTION
TOWNSHIP OF MANSFIELD
NUMBER 2009-91

WHEREAS, an emergency has arisen with respect to Payroll Taxes Other Expenses due to an unanticipated failure of payment by the former payroll processing company and, no adequate provision was made in the 2009 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$48,500 and three (3) percent of the total operating appropriations in the budget for 2009 is \$128,996.60 and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations in the budget for 2009.

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is here by made for Legal Services Other Expenses in the amount of \$48,500.00.
2. That said emergency appropriation shall be provided for in full in the 2010 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1)
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

Ms. Nerbak made a motion to approve 2009-91, which was seconded by Mayor Jewell.

Ayes: Mr. Tomszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

COMMITTEE PERSON COMMENTS:

Ms. Nerbak stated that Warren Hospital will be having another meeting on December 7, 2009 at 7:00 and that they requested the home address of members of the township committee.

Mr. Watters and Mayor Jewell agreed that she could give the addresses out.

Ms. Nerbak stated that Cory Stoner and would be coming to the Township Committee meeting on December 9, 2009 to discuss the new fields and the tennis courts and that they would like to do this with the money that is left from the walking trail.

Ms. Nerbak went through the conferences that she went to in Atlantic City for Insurance and for Police Chief versus Police Director.

Mr. Baldwin stated that he met with many different people in Atlantic City and one of them was PNC who says that they are located in Hackettstown and that he had discussed with as high up as he could go and that they are working on having this changed to include being located in Mansfield.

Ms. Nerbak brought Humified Compost that is made from kitchen waste that she had received at a class about solid waste.

Mr. Baldwin stated that the other part of his report he would like to do in executive session.

Mr. Watters stated that he would like to go to the opening of the Wattles Farm with the County.

Ms. Nerbak stated that Mansfield Township is 3rd highest in Warren County and that we received \$12,170.47 for the tonnage grant.

Ms. Nerbak stated that Mrs. Fascenelli is doing a great job as recycling coordinator.

Mayor Jewell made a motion to go into executive session for contractual issues at 8:33 after five minute break, which was seconded by Ms. Nerbak.

Ayes: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

Return from break at 8:39 and enter into executive session.

Return 9:03pm, all members present.

Ms. Nerbak made a motion to have the clerk contact the police department issue a citation and to have the Township Attorney send a letter to the junk yard, which was seconded by Mayor Jewell.

Ayes: Mr. Tomaszewski , Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Nays: None

Absent: None

Abstain: None

Mr. Baldwin made a motion to adjourn at 9:04pm.